

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the Corporation to amend the definition of the term "assessment base".

IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.

S. 3217

To promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. TESTER

Viz:

- 1 On page ³⁶⁸~~367~~, strike line 3 and all that follows
2 through page ³⁶⁹~~368~~, line 14, and insert the following:
3 (b) ASSESSMENT BASE.—The Corporation shall
4 amend the regulations issued by the Corporation under
5 section 7(b)(2) of the Federal Deposit Insurance Act (12
6 U.S.C. 1817(b)(2)) to define the term "assessment base"
7 with respect to an insured depository institution for pur-
8 poses of that section 7(b)(2), as an amount equal to—

1 (1) the average consolidated total assets of the
2 insured depository institution during the assessment
3 period; minus

4 (2) the sum of—

5 (A) the average tangible equity of the in-
6 sured depository institution during the assess-
7 ment period; and

8 (B) in the case of an insured depository in-
9 stitution that is a custodial bank (as defined by
10 the Corporation, based on factors including the
11 percentage of total revenues generated by custo-
12 dial businesses and the level of assets under
13 custody) or a banker's bank (as that term is
14 used in section 5136 of the Revised Statutes
15 (12 U.S.C. 24)), an amount that the Corpora-
16 tion determines is necessary to establish ~~an~~ as-
17 sessment~~s~~ consistent with the definition under
18 section 7(b)(1) of the Federal Deposit Insur-
19 ance Act (12 U.S.C. 1817(b)(1)) for a custodial
20 bank or a banker's bank.